



Entered on Docket
April 13, 2010

Hon. Bruce A. Markell
United States Bankruptcy Judge

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10-71293

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

Quy K. Nguyen

Debtor

Bk Case No.: 10-13443-bam

ORDER RE EX PARTE APPLICATION FOR
AN ORDER PURSUANT TO 362 (c) (3) (A)

Date:

Time:

Chapter 13

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Secured Creditor respectfully requests an order from the Court confirming that the Automatic Stay never arose as to Secured Creditor and that Secured Creditor may proceed with collection on the note, including but not

1 limited to foreclosure and an action to recover possession of the subject property, further described
2 herein for purposes as to Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in
3 interest, of the subject property, generally described as 1881 W. Alexander Rd. # 2087, North Las
4 Vegas, NV 89032, and legally described as follows:

5 The land referred to herein is situated in the State of Nevada, County of CLARK, described as
6 follows:

7 A CONDOMINIUM COMPOSED OF:

8 PARCEL I (COMMON ELEMENT):

9 An undivided 1/8th interest as tenant-in-common in the Common Element Phase 6 of VILLAS
10 AT HIDDEN CANYON - UNIT 2 (a common interest condominium development), as shown
11 by map thereof on file recorded December 31, 1998 in Book 87 of Plats, Page 70, and amended
12 by Certificates of Amendment recorded APRIL 20, 1999 in Book 990420, as Document No.
00873, Official Records, in the Office of the County Recorder of Clark County, Nevada.

13 EXCEPTING THEREFROM THE FOLLOWING:

14 All Living Units in Phase 6 of VILLAS AT HIDDEN CANYON-UNIT 2 (a common interest
condominium development), recorded in the Office of the County Recorder of Clark County,
Nevada, on December 31, 1998 in Book 87 of Plats, Page 70.

15 AND RESERVING THEREFROM:

16 The right to possesion of all those areas designated as Limited Common Element as shown upon
the Condominium Plat referred to above;

17 AND FURTHER RESERVING THEREFROM for the benefit of the Owners of Condominiums
18 in Phases 1 through 5 and 7 through 12, non-exclusive easementson, over, and under the
Common Elements and Private drives and P.U.E., as defined and shown upon the Condominium
plat referred to above for ingress and egress, and subject to the terms and as more particularly
set forth in the Declaration of Covenants, Conditions and Restrictions recorded May 23, 1997 in
Book 970523, as Document No. 01065, and by first Amendment to Declaration recorded July
26, 1999 in Book 990726 as Document No. 01462, and by First Supplement to Exhibit "B" to
Declaration No. 01081

23 (hereafter "Declaration"), excepting Buldings and any portion therof which is designated as a
24 Limited Common Element.

25 PARCEL II (CONDOMINIUM UNIT):

26 Condominium Unit 2087, in Building V, as shown upon the Condominium Plat referred to
above.

1 PARCEL III (LIMITED COMMON ELEMENT) :

2 The exclusive right to use, possession, and occupancy of those portions of the Common
3 Element being described upon the Plat and in the "Declaration" as Porches, Balconies, Patios,
4 and/or Exterior Stairways, HVAC and Parking Stall (Limited Common Element), which are
5 appurtenant to and for the exclusive use of Parcel II.

6 PARCEL IV (PHASED AREAS) :

7 A non-exclusive easement for ingress and egress, over and under the Common Elements and
8 Private Drives and P.U.E. of Phases 1 through 5 and 7 through 12, which easement is
9 appurtenant to Parcels I, II, and III described above. This easement shall be
10 effective only until recordation prior to expiration of the right to annex by a Declaration of
11 Annexation declaring Phases 1 through 5 and 7 through 12 to be subject to the Declaration to
12 which reference is heretofore made or a separate Declaration, which requires the Owners of a
13 Condominium in Phases 1 through 5 and 7 through 12 to be members of the Association.

14 PARCEL V:

15 A non-exclusive easement for ingress and egress, over and under the Common Elements and
16 Private Drives and P.U.E of the Amended Plat of Villas at Hidden Canyon - Unit 1 (a common
17 interest condominium development) as shown by map thereof on file in Book 81 of Plats, Page
18 70 and in Book 85 of Plats, Page 92, in the Office of the County Recorder of Clark County,
19 Nevada, which easement is appurtenant to Parcels I, II, and III described above.

20 PARCEL VI (COMMON RECREATIONAL AREA) :

21 A non-exclusive easement on and over the Common Recreational Area (Common Element "A"
22 (CE "A") as shown on the Amended Plat of Villas Hidden Canyon - Unit 1 (a common interest
23 condominium development) as shown by map thereof on file in Book 81 of Plats, Page 70, in
24 the Office of the County Recorder of Clark County, Nevada) for access, use, occupancy,
25 enjoyment, ingress, egress, and use of the amenities located thereon, subject to the terms and
26 provisions of the Declaration to which reference is heretofore made. This easement is
appurtenant to Parcels I, II, and III herein described. The Common Recreational Area is for the
use of Owners and guests of the Units and are subject to the Declaration rules and regulations of
the Association and are not for the use of the general public.

27 IT IS SO ORDERED

28 Submitted by:

29 **WILDE & ASSOCIATES**

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